

**STATE OF ILLINOIS
COMMERCE COMMISSION
PUBLIC UTILITIES
MINUTES OF SEPTEMBER 19, 2006
REGULAR OPEN MEETING**

Pursuant to Section 2.02 of the Open Meetings Act, a Regular Open Meeting of the Commerce Commission was convened by Chairman Box at 10:35 a.m. on September 19, 2006 in the Springfield Office of the Commission. Present in Chicago were: Commissioners O'Connell-Diaz, Wright and Chairman Box. Commissioner Ford was present via telephone bridge hook-up. Commissioner Lieberman was not present.

- (1) 05-0597 Commonwealth Edison Company
Proposed general increase in rates for delivery service.
(Tariffs filed on August 31, 2005)

Commissioner Wright made a Motion to Deny the Motion for Clarification of Scope of Rehearing and for an Expedited Ruling regarding Rider GCB filed by the City of Chicago, the Cook County State's Attorney's Office and Chicago Transit Authority. Commissioner O'Connell-Diaz seconded the Motion. All present voted aye on the Motion.

Commissioner Wright made a Motion to Grant Staff's Motion regarding Commonwealth Edison Company's Compliance Tariff Filing for Rider GCB. Commissioner O'Connell-Diaz seconded the Motion. All present voted aye on the Motion.

- (2) 06-0187 Illinois Commerce Commission
On Its Own Motion
Grant awards from Digital Divide Elimination Infrastructure Fund.

Topics of discussion included: Chief ALJ Aridas briefed the Commission on this docket; in July, 2001, the Legislature passed a bill establishing the Digital Divide Elimination Infrastructure Fund; this Fund would ensure that all areas of Illinois have access to high speed data transmission facilities; the Commission approved issuance of a Request for Grant Proposals to obtain grants from eligible companies; Staff received 17 proposals seeking funding; Staff looked at three statutorily required items to determine eligibility: (1) whether or not advanced telecommunication services in the area were underprovided through an Internet Service Provider; (2) low population density; and (3) whether or not a competitive market for advanced services had been developed; the applicants that did not receive grants did not meet one or more of the statutory or regulatory requirements; the proposals were evaluated and Staff made recommendations for each proposal; the Commission initiated a proceeding in March, 2006, and ALJ Aridas entered an Order directing Staff to file a report containing their recommendations; the final Order adopts Staff's report and recommendations to the

proceeding *in toto*; the next step is to execute the 10 agreements that have been awarded; those agreements will contain monitoring and enforcement mechanisms to ensure compliance; another round of RFP's and grants will be done at a later date; and Chairman Box circulated non-substantive language revisions.

Chairman Box made a Motion to adopt his Non-substantive Language Revisions. Commissioner O'Connell-Diaz seconded the Motion. All present voted aye on the Motion.

All present voted aye on the Order Approving Application as amended from the Bench.

The meeting was adjourned.